



PATENT  
Customer No. 22,852  
Attorney Docket No. 8350.1314-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Scott A. Lehman et al.	)	Group Art Unit: 3748
	)	
Application No.: 10/067,050	)	Examiner: Jaime W. Corrigan
	)	
Filed: February 4, 2002	)	
	)	
For: ENGINE VALVE ACTUATOR	)	Confirmation No.: 4929
PROVIDING MILLER CYCLE	)	
BENEFITS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)(4)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b)(4), Applicants bring to the attention of the Examiner the documents identified on the attached listing. This Information Disclosure Statement is being filed along with a Request for Continued Examination in the above-referenced application.

Copies of the listed foreign patent documents and non-patent literature documents are attached.

Also enclosed are copies of English language abstracts for each of the listed non-English foreign patent documents.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

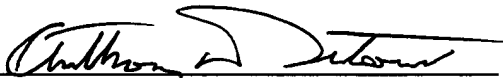
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

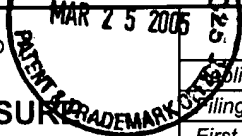
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 25, 2005

By:   
Anthony M. Gutowski  
Reg. No. 38,742



IDS Form PTO/SB/08: Substitute for form 1449A/PTO

**Complete if Known**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		Application Number	10/067,050
		Filing Date	February 4, 2002
		First Named Inventor	Scott A. Leman
		Art Unit	3748
		Examiner Name	Jaime W. Corrigan
Attorney Docket Number	8350.1314-00		

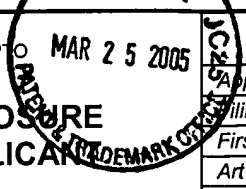
Sheet	1	of	2
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		2001/0023671	09-27-2001	Vorih	
		2002/0157623	10-31-2002	Turner et al.	
		2003/0145810	08-07-2003	Leman et al.	
		2004/0118118	06-24-2004	Weber et al.	
		2004/0206331	10-21-2004	Leman	
		4,050,435	09-27-1977	Fuller, Jr. et al.	
		4,161,166	07-17-1979	Roznovsky	
		4,206,728	06-10-1980	Trenne	
		4,423,709	01-03-1984	Arrieta	
		5,000,145	03-19-1991	Quenneville	
		5,327,858	07-12-1994	Hausknecht	
		5,564,386	10-15-1996	Korte et al.	
		6,722,349	04-20-2004	Leman et al.	
		6,732,685	05-11-2004	Leman	
		6,772,742	08-10-2004	Lei et al.	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		DE 44 40 289 A1	05-15-1996	Schmidt		ABS
		DE 44 43 169 A1	06-13-1996	Dens		ABS
		EP 0 961 018 A1	12-01-1999	Maeda		
		WO 01/20150	03-22-2001	Diesel Engine		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Order Granting/Denying Request for Inter Partes Reexamination for Control No. 95/000,050 dated December 10, 2004; Office Action dated December 10, 2004, in Inter Partes Reexamination for Control No. 95/000,050; Patent Owner's Response To Office Action, filed January 24, 2005, including Exhibits A and B; Comments of Requester, filed February 23, 2005, including Declaration of Jack A. Ekchian, Ph.D., including Exhibit A; Exhibit B: Dresner et al., "A Review and Classification of Variable Valve Timing Mechanisms", SAE Technical Paper Series, March 1989; and Exhibit C: Dickey et al., "Nox Control in Heavy-Duty Diesel Engines - What is the Limit?" SAE Technical Paper Series, Feb. 1998; and including Declaration of David F. Merrion, including Exhibit A and Exhibit B: Dresner et al., "A Review and Classification of Variable Valve Timing Mechanisms", SAE Technical Paper Series, March 1989.	

JDS Form PTO/SB/08: Substitute for form 1449A/PTO  <div style="text-align: center;">  </div>		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number 10/067,050	Filing Date February 4, 2002
		First Named Inventor Scott A. Leman	Art Unit 3748
		Examiner Name Jaime W. Corrigan	Attorney Docket Number 8350.1314-00
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NON PATENT LITERATURE DOCUMENTS			
		Order Granting/Denying Request for Inter Partes Reexamination for Control No. 95/000,049 dated November 23, 2004; Office Action in Inter Partes Reexamination for Control No. 95/000,049 dated November 23, 2004; Patent Owner's Response to Office Action, filed January 24, 2005, including Exhibits A and B; Comments of Requester, filed February 23, 2005, including Declaration of Jack A. Ekhian, Ph.D., including Exhibit A, Exhibit B: Dresner et al., "A Review and Classification of Variable Valve Timing Mechanisms", SAE Technical Paper Series, March 1989; and Exhibit C: Dickey et al., "Nox Control in Heavy-Duty Diesel Engines - What is the Limit?" SAE Technical Paper Series, Feb. 1998; and including Declaration of David F. Merrion, including Exhibit A and Exhibit B: Dresner et al., "A Review and Classification of Variable Valve Timing Mechanisms", SAE Technical Paper Series, March 1989.	
		Office Action dated June 2, 2003, for U.S. patent application No. 10/370,852; Amendment filed July 10, 2003.	
		Office Action dated June 2, 2003, for U.S. patent application No. 10/143,908; Reply to Office Action filed Sept. 2, 2003.	
		Co-pending Application No. 10/992,198; Attorney Docket No. 8350.1314-01 Title: COMBUSTION ENGINE INCLUDING FLUIDICALLY-DRIVEN ENGINE VALVE ACTUATOR U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,137; Attorney Docket No. 8350.1367-02 Title: COMBUSTION ENGINE INCLUDING FLUIDICALLY-CONTROLLED ENGINE VALVE ACTUATOR U.S. Filing Date: November 19, 2004.	
		Office Action dated May 28, 2004, for U.S. Patent Application No. 10/733,570; Attorney Docket No. 8350.1649-02; Amendment filed on Nov. 24, 2004.	
		Co-pending Application No. 10/933,300; Attorney Docket No. 8350.1649-03 Title: AIR AND FUEL SUPPLY SYSTEM FOR COMBUSTION ENGINE U.S. Filing Date: September 3, 2004.	
		Co-pending Application No. 10/992,074; Attorney Docket No. 8350.1649-04 Title: COMBUSTION ENGINE INCLUDING CAM PHASE-SHIFTING U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,866; Attorney Docket No. 8350.1649-05 Title: AIR AND FUEL SUPPLY SYSTEM FOR COMBUSTION ENGINE WITH PARTICULATE TRAP U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,857; Attorney Docket No. 8350.1649-06 Title: AIR AND FUEL SUPPLY FOR COMBUSTION ENGINE OPERATING AT OPTIMUM ENGINE SPEED U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,897; Attorney Docket No. 8350.1649-07 Title: AIR AND FUEL SUPPLY SYSTEM FOR COMBUSTION ENGINE U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/933,065; Attorney Docket No. 8350.1649-08 Title: AIR AND FUEL SUPPLY SYSTEM FOR COMBUSTION ENGINE OPERATING IN HCCI MODE U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,070; Attorney Docket No. 8350.1649-09 Title: COMBUSTION ENGINE INCLUDING EXHAUST PURIFICATION WITH ON-BOARD AMMONIA PRODUCTION U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,071; Attorney Docket No. 8350.2153-04 Title: COMBUSTION ENGINE INCLUDING ENGINE VALVE ACTUATION SYSTEM U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,069; Attorney Docket No. 8350.2197-01 Title: AIR AND FUEL SUPPLY SYSTEM FOR COMBUSTION ENGINE U.S. Filing Date: November 19, 2004.	
		Co-pending Application No. 10/992,125; Attorney Docket No. 8350.2575-01 Title: AIR AND FUEL SUPPLY SYSTEM FOR A COMBUSTION ENGINE U.S. Filing Date: November 19, 2004.	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.